

Sub:- Forest Land-Thane.

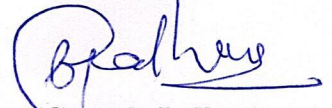
Diversion of 14.613 ha. Forest land in favour of NHAI for construction of Eight laning of existing four lane Vadape to Thane from Km 539.202 to Km 563.000 section of NH-3 (New NH-848) to be executed on Hybrid Annuity mode (HAM) in Bhiwandi Taluka of Thane District

PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter
No.FLD-2022/CR-69/F-10
Dated: 05.05.2022



(Ganesh Jadhao)
Under Secretary to the
Government of Maharashtra

Place: Mumbai.

Date: 05.05.2022

Under Secretary
Revenue and Forests Department
Hutatma Rajguru Chowk
Madam Cama Road, Mantralaya
Mumbai 400 032

Government of Maharashtra

By Speed Post

No.FLD-2022/CR-69/F-10
Revenue and Forest Department,
Madame Cama Road,
Hutatma Rajguru Chowk,
Mantralaya, Mumbai – 400 032.
Date: 05.05.2022

To,
Regional Officer (Central),
Integrated Regional Office,
Ministry of Environment, Forests & Climate Change,
Government of India, Civil Lines,
Nagpur-440 001.

Subject: Forest Land-Thane.

Diversion of 14.613 ha. Forest land in favour of NHAI for construction of Eight laning of existing four lane Vadape to Thane from Km 539.202 to Km 563.000 section of NH-3 (New NH-848) to be executed on Hybrid Annuity mode (HAM) in Bhiwandi Taluka of Thane District.

Sir,

The Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur has submitted the proposal for Diversion of 14.613 ha. Forest land in favour of NHAI for construction of Eight laning of existing four lane Vadape to Thane from Km 539.202 to Km 563.000 section of NH-3 (New NH-848) to be executed on Hybrid Annuity mode (HAM) in Bhiwandi Taluka of Thane District.

2. The details of forest land proposed for diversion are as under:-

Sr. No	Item work purpose	Village Name	Taluka	Compt No	Old Survey No.	New Survey/ Gut No.	Length (M) x Width (M)	Area in (Sq. M)	Area (in ha)	Legal Status
1	Existing four lane Vadape to Thane from Km 539.202 to Km 563.000	Vadpe	Bhiwandi	--	131	131	175.5 x 34	5967.85	0.597	Protected Forest
				--	133	133	164.4 x 24	3944.078	0.394	Protected Forest
				1034	138	138	103.2 x 60	6191.626	0.619	Reserved Forest
2	section of NH-3 (New NH-848) in the State of Maharashtra to be executed on Hybrid Annuity	Dhamangaon	Bhiwandi	1034	193	193	842 x 60	50526.658	5.053	Reserved Forest
3		Yeai	Bhiwandi	--	14	14	247 x 60	14824.022	1.482	Private Forest
				--	37	37	168.5 x 60	10112.698	1.011	Private Forest
4		Elkunde	Bhiwandi	--	66	66	233 x 17.7	4125.945	0.413	Protected Forest

6	mode (HAM)	Sonale	Bhiwandi	--	204	49	68.4 x 60	4103.1771	0.410	Protected Forest
7		Pimplas	Bhiwandi	--	410	44	361 x 41.6	15003.6649	1.500	Protected Forest
8		Pimpalner	Bhiwandi	--	448 (Old Pimplas Village)	63	194 x 60	11644.809	1.165	Protected Forest
9		Ovali	Bhiwandi	--	73	73	175.9 x 60 146 x 34	19690.073	1.969	Protected Forest
Total Forest Land (in ha.)									14.613	

3. The existing four lane bypass road Vadape to Thane is proposed to be up-graded to eight lane road looking at increased traffic on existing four lane Mumba-Agra National Highway and likely increase of traffic due to proposed six lane Samrudhi Mahamarg of Mumbai-Nagpur to be connected a few Kilometers after Vadape.

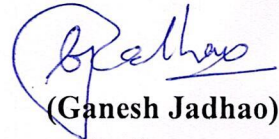
4. The Deputy Conservator of Forests, Thane has certified that:-

- i) No alternate alignment is possible and the forest land required is the minimum.
- ii) The area belongs to Eco-value class-I having density is below 0.2 (Open Forest).
- iii) There are 132 trees of various species and trees is involved in implementation of the Project.
- iv) The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- v) Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- vi) There is violation of Forest (Conservation) Act 1980. The User Agency has already done violation at the time of 2 lanning of project in the year 1980-1982 & 4 laning of project in the year 1998-2003 by the National Highway Division. Violation Report is enclosed in the proposal.
- vii) Proposed project is 8.7 km from Sanjay Gandhi National Park and 5.5 Km from Tungareshwar Wildlife Sanctuary. The Tungareshwar Wildlife Sanctuary has been notified on 24/10/2003 and Sanjay Gandhi National Park has been notified on 16/01/1996.
- viii) The non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act 1975 by virtue of application of Section 35 of Indian Forest Act 1927 and are not recognized as deemed reserved forest as well as not included in the area identified as "forest" as per dictionary meaning of forest as intimated to the expert committee appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- ix) Deputy Conservator of Forests, Thane has suggested various mitigation measures in Part II (Annexure-I, enclosed in the proposal)
- x) Deputy Conservator of Forests, Aurangabad has Proposed Compensatory Afforestation over 30.00 ha. degraded Forest land (i) Area 8.81 ha. in Gut No.359, at Village Vaijapur in Taluka Parla (ii) Area 10.87 ha. in Gut No.376, at Village Vaijapur, in Taluka Parla (iii) Area 5.76 ha. in Gut No.358, at Village Vaijapur, in Taluka Parla (iv) Area 4.56 ha. in Gut No. 352 at Village Vaijapur, in Taluka

Parla and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

5. The User Agency has submitted an undertaking:-

- 5.1 To defray the cost of compensatory afforestation.
 - 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion.
 - 5.3 To submit necessary certificates under Schedule Tribes and Other Traditional Forest Dweller's (Recognition of Forest Rights) Act, 2006.
 - 5.4 To defray the cost of mitigation measures suggested by the Forest Department.
6. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980.
7. Under the circumstances explained in the aforesaid paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before the Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980, be obtained and communicated to this Government at the earliest.


(Ganesh Jadhao)

Under Secretary to the Government of Maharashtra

Encl: A) Set of case papers

B) The following documents are enclosed:-

1. Prescribed form as per Rules.
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Commitment from the Applicant for defraying the cost of compensatory plantation & Net Present Value of the Forest land
5. Brief note of the project from the project authority
6. Map of proposed land for Compensatory Afforestation
7. Site Inspection Report
8. Violation Report.
9. Certificate in Part V.

Copy to:

1. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State Nagpur with reference to his letter No.Desk-17/Nodal/Pune/ID-13070(75)/2599/2021-22, Dt. 03.03.2022.
2. Principal Chief Conservator of Forests & C.E.O. (Maha-CAMPA), Nagpur.
3. Chief Conservator of Forests (T), Thane.
4. Deputy Conservator of Forests, Thane.
5. The Project Director, NHAI, PIU Thane.
6. Select File.